

**Introduced by Senator Torlakson**

February 20, 2004

---

An act to add Section 65458 to the Government Code, relating to local planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 1592, as introduced, Torlakson. Local planning.

The Planning and Zoning Law requires a city or county to adopt a general plan for land use development that includes a housing element, land use element, and an open-space element. The law authorizes the preparation of specific plans for the systematic implementation of the general plan.

This bill would require each city and each county to adopt or update an infill ordinance or specific plan that identifies potential infill sites and specifies appropriate zoning to encourage infill development on vacant and underutilized parcels. It would require the infill ordinance to provide at least 5 incentives for infill housing, as specified. By imposing additional duties upon local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65458 is added to the Government Code, to read:

65458. (a) One year following the next major revision of the general plan, each city and each county shall adopt or update an infill ordinance or specific plan that identifies potential infill sites within the jurisdiction and specifies appropriate zoning for each infill site to encourage infill development on vacant and underutilized parcels. The infill ordinance shall provide at least five of the following incentives for infill housing in the designated infill sites:

(1) Flexible and clear urban design guidelines and clear procedures for review.

(2) Increased densities.

(3) Minimum densities.

(4) Increased building heights.

(5) Reduced development impact fees and services fees where allowable.

(6) Establishment of a business improvement district or community facilities district.

(7) Reduction of minimum lot sizes or allow for single-family detached condominiums.

(8) Incentives for mixed use projects.

(9) Higher densities and lower parking requirements near transit stations.

(10) Establishment of a housing trust fund or require inclusionary zoning.

(b) For purposes of this section, “upon the next revision of the general plan” means the next revision of the housing element according to the Department of Housing and Community Development revision schedule, but no sooner than 2009.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O